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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,333	04/11/2001	Shusaku Okamoto	5077-000029	5887

27572 7590 11/22/2004

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EXAMINER
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PHILIPPE, GIMS S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/807,333

### Applicant(s)

OKAMOTO ET AL.

### Examiner

Gims S Philippe

### Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8, 9, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 11 is/are allowed.
- 6) ☒ Claim(s) 8, 9 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11152004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Amendment***

1. Applicant's amendment received on June 30<sup>th</sup> 2004 in which claims 6-7, and 10 were canceled, and claims 8 and 11 were amended has been fully considered and entered but the arguments are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US Patent no. 6,476,855) in view of Sasaki et al. (US Patent no. 5,729,216):

Regarding claim 8, Yamamoto discloses a vehicle monitoring system comprising a plurality of cameras for capturing the surrounding of a vehicle (See fig. 4, cameras 101 and 201, col. 3, lines 7-10), an image processing unit for generating, from the images captured by the plurality of cameras, a synthesized image viewed from a virtual view point (See Yamamoto fig. 4, items 60B and 66, col. 3, lines 21-43).

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It is noted that Yamamoto is silent about placing the plurality of cameras at a non-movable part of the vehicle such its window visor as specified in the claim.

However, Mazzilli discloses a plurality of cameras for capturing the surrounding of a vehicle including placing the plurality of cameras at a non-movable part of the vehicle such its window visor (See Mazzilli fig. 3, cameras 11, and col. 1, lines 36-38 and col. 2, lines 21-26).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Yamamoto's camera pair by placing them in close vicinity as shown in Mazzilli camera system. The motivation for performing such a modification in Yamamoto is to eliminate distortion by lens aberration by the cameras in order to compensate for image signal error in the calculation of objects position and also to provide a 360 degrees range camera taping both inside and outside of the vehicle.

As per claim 9, most of the limitations of this claim have been noted in the above rejection of claim 8. In addition, the disposition of the cameras in Yamamoto's bumper is considered analogous to disposing the cameras corresponding to illuminating means for irradiating light (See Yamamoto fig. 5, items 101 and 201). Note that synthesizing is shown in col. 6, lines 33-39.

Regarding claim 12, most of the limitations of these claims have been noted in the above rejection of claims 6 and 8 above.

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It is noted that the combination of Yamamoto is silent about providing a retractably mounted camera so as to be ejected when the vehicle is in use, and as to be housed when the camera is not used.

However, Mazzilli discloses a vehicle monitoring system comprising a camera retractably mounted so as to be ejected when the vehicle is in use, and as to be housed when the camera is not used (See Mazzilli's fig. 3, and col. 2, lines 21-25, lines 64-67 and col. 3, lines 1-4).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying the step of mounting the camera of Yamamoto by providing a retractably mounted camera so as to be ejected when the vehicle is in use, and as to be housed when the camera is not used. The motivation for performing such modification is to protect the camera when it is not being used.

4. Claims 1-5, and 11 are allowed.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

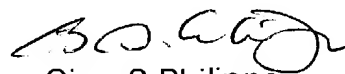
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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe  
Primary Examiner  
Art Unit 2613

GSP

November 15, 2004